

MERCHANT & GOULD P.C.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: WASTELESS LAMINATOR

The specification of which

- a. ☐ is attached hereto
b. ☒ was filed on June 23, 2003 as application serial no. 10/608,583 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.
b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/395,601	11 JULY 2002

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim;

or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application:

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Ali, M. Jeffer	Reg. No. 46,359	Lauer, Deakin T.	Reg. No. 47,892
Altera, Allan G.	Reg. No. 40,274	Leach III, Thomas J.	Reg. No. P-53,188
Anderson, Gregg I.	Reg. No. 28,828	Leonard, Christopher J.	Reg. No. 41,940
Batzli, Brian H.	Reg. No. 32,960	Lewis, George C.	Reg. No. 53,214
Beard, John L.	Reg. No. 27,612	Liepa, Mara E.	Reg. No. 40,066
Berns, John M.	Reg. No. 43,496	McDonald, Daniel W.	Reg. No. 32,044
Blackburn, Murrell W.	Reg. No. 50,881	McIntyre, Jr., William F.	Reg. No. 44,921
Bortolotti, Rebecca	Reg. No. 51,488	Mueller, Douglas P.	Reg. No. 30,300
Branch, John W.	Reg. No. 41,633	Nelson, Anna M.	Reg. No. 48,935
Brown, Jeffrey C.	Reg. No. 41,643	Parsons, Nancy J.	Reg. No. 40,364
Bruess, Steven C.	Reg. No. 34,130	Pauly, Daniel M.	Reg. No. 40,123
Byrne, Linda M.	Reg. No. 32,404	Peterson, Kyle T.	Reg. No. 46,989
Campbell, Keith	Reg. No. 46,597	Phillips, John B.	Reg. No. 37,206
Clifford, John A.	Reg. No. 30,247	Pino, Mark J.	Reg. No. 43,858
Cook, Jeffrey	Reg. No. 48,649	Qualey, Terry	Reg. No. 25,148
Daignault, Ronald A.	Reg. No. 25,968	Randall, Joshua N.	Reg. No. 50,719
Daley, Dennis R.	Reg. No. 34,994	Reich, John C.	Reg. No. 37,703
Daley, William J.	Reg. No. 52,471	Reiland, Earl D.	Reg. No. 25,767
Daulton, Julie R.	Reg. No. 36,414	Roath, Paul D.	Reg. No. 45,045
DeVries Smith, Katherine M.	Reg. No. 42,157	Schmaltz, David G.	Reg. No. 39,828
DiPietro, Mark J.	Reg. No. 28,707	Schuman, Mark D.	Reg. No. 31,197
Doscotch, Matthew A.	Reg. No. 48,957	Schumann, Michael D.	Reg. No. 30,422
Edell, Robert T.	Reg. No. 20,187	Scull, Timothy B.	Reg. No. 42,137
Epp Ryan, Sandra	Reg. No. 39,667	Sebald, Gregory A.	Reg. No. 33,280
Fitzsimmons, Karen A.	Reg. No. 50,470	Skoog, Mark T.	Reg. No. 40,178
Gadiano, Christina M.	Reg. No. 37,628	Sorge, Keith M.	Reg. No. 50,865
Gaffney, Matthew M.	Reg. No. 46,717	Stewart, Alan R.	Reg. No. 47,974
Goggin, Matthew J.	Reg. No. 44,125	Stoll-DeBell, Kirstin L.	Reg. No. 43,164
Golla, Charles E.	Reg. No. 26,896	Sullivan, Timothy	Reg. No. 47,981
Gorman, Alan G.	Reg. No. 38,472	Swenson, Erik G.	Reg. No. 45,147
Gotfredson, Garen J.	Reg. No. 44,722	Tellekson, David K.	Reg. No. 32,314
Gould, John D.	Reg. No. 18,223	Trembath, Jon R.	Reg. No. 38,344
Gregson, Richard	Reg. No. 41,804	Tunheim, Marcia A.	Reg. No. 42,189
Gresens, John J.	Reg. No. 33,112	Underhill, Albert L.	Reg. No. 27,403
Haack, John L.	Reg. No. 36,154	Vidovich, Kristin K.	Reg. No. 41,448
Hamre, Curtis B.	Reg. No. 29,165	Wahl, John R.	Reg. No. 33,044
Hennings, Mark	Reg. No. 48,982	Welter, Paul A.	Reg. No. 20,890
Hertzberg, Brett A.	Reg. No. 42,660	Whitaker, John E.	Reg. No. 42,222
Hillson, Randall A.	Reg. No. 31,838	Wiegand, Jamie	Reg. No. 52,361
Hope, Leonard J.	Reg. No. 44,774	Wier, David D.	Reg. No. 48,229
Hornsby, III, Alton	Reg. No. 47,299	Williams, Douglas J.	Reg. No. 27,054
Jacobson, Charles A.	Reg. No. 53,061	Withers, James D.	Reg. No. 40,376
Jhns, Nicholas P.	Reg. No. 48,995	Wong, Bryan A.	Reg. No. 50,836
Jhnston, Scott W.	Reg. No. 39,721	Wong, Thomas S.	Reg. No. 48,577
Kalinsky, Robert A.	Reg. No. 50,471	Xia, Tim Tingkan	Reg. No. 45,242
Kelly, Zachary J.	Reg. No. 53,108	Zeuli, Anthony R.	Reg. No. 45,255
Kettelberger, Denise	Reg. No. 33,924		
Keys, Jeramie J.	Reg. No. 42,724		
Knearl, Homer L.	Reg. No. 21,197		
Korver, Joshua W.	Reg. No. 51,894		
Kowalchuk, Alan W.	Reg. No. 31,535		
Kowalchuk, Katherine M.	Reg. No. 36,848		
Lamberty, Michael	Reg. No. 50,760		
Larson, James A.	Reg. No. 40,443		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.
Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

201	Full Name Of Inventor	Family Name WURDELL	First Given Name GRANT	Second Given Name H.
	Residence & Citizenship	City MINNETONKA	State or Foreign Country MINNESOTA	Country of Citizenship USA
	Mailing Address	Address 4432 TONKA WOOD ROAD	City MINNETONKA	State & Zip Code/Country MINNESOTA 55345/USA
Signature of Inventor 201:				Date:
202	Full Name Of Inventor	Family Name FITZSIMMONS	First Given Name STEVEN	Second Given Name J.
	Residence & Citizenship	City EDEN PRAIRIE	State or Foreign Country MINNESOTA	Country of Citizenship USA
	Mailing Address	Address 10298 EDINBURGH CIRCLE	City EDEN PRAIRIE	State & Zip Code/Country MINNESOTA 55347/USA
Signature of Inventor 202:				Date:

ASSIGNMENT

WHEREAS, we, Grant H. Wurdell, residing at 4432 Tonkawood Road, Minnetonka, Minnesota 55345 and Steven J. Fitzsimmons, residing at 10298 Edinburgh Circle, Eden Prairie, Minnesota 55347, made certain new and useful inventions and improvements for which we filed an application for Letters Patent of the United States on June 23, 2003, application Serial No. 10/608,583 which is entitled WASTELESS LAMINATOR.

AND WHEREAS, DataCard Corporation, a corporation organized and existing under and by virtue of the laws of the State of Minnesota, and having an office and place of business at 11111 Bren Road West, Minnetonka, Minnesota 55343 (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this _____ day of _____, 20____.

Grant H. Wurdell

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared Grant H. Wurdell to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]

Notary Public